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By: **Delegates Howard, Kelley, and Parker**  
Introduced and read first time: January 28, 2004  
Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **State Lottery - Unanticipated Revenues**

3 FOR the purpose of requiring the Comptroller to distribute certain unanticipated  
4 lottery revenues to counties and municipal corporations on a certain pro rata  
5 basis; defining a certain term; requiring the funds distributed under this Act to  
6 be appropriated in a certain manner by the recipients for public education and  
7 public safety purposes; and generally relating to the distribution of State lottery  
8 revenues.

9 BY repealing and reenacting, with amendments,  
10 Article - State Government  
11 Section 9-120  
12 Annotated Code of Maryland  
13 (1999 Replacement Volume and 2003 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - State Government**

17 9-120.

18 (a) The Comptroller shall distribute the State Lottery Fund to pay:

19 (1) on a pro rata basis for the daily and nondaily State lottery games, the  
20 expenses of administering and operating the State lottery, as authorized under this  
21 subtitle and the State budget; and

22 (2) then, except as provided in § 10-113.1 of the Family Law Article and  
23 § 11-618 of the Criminal Procedure Article, the holder of each winning ticket or share.

24 (b) (1) [Promptly] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS  
25 SECTION, PROMPTLY after the 1st day of each month, the Comptroller shall pay:

26 (i) into the Maryland Stadium Facilities Fund the money that  
27 remains in the State Lottery Fund from the proceeds of the sports lotteries conducted

1 for the benefit of the Maryland Stadium Authority, after the distribution under  
2 subsection (a) of this section; and

3 (ii) into the General Fund of the State the money that remains in  
4 the State Lottery Fund from the proceeds of all other lotteries after the distribution  
5 under subsection (a) of this section.

6 (2) The money paid into the General Fund under this subsection is  
7 available in the fiscal year in which the money accumulates in the State Lottery  
8 Fund.

9 (C) (1) IN THIS SUBSECTION, "UNANTICIPATED REVENUES" MEANS STATE  
10 LOTTERY REVENUES THAT EXCEED BUDGETARY PROJECTIONS FOR A FISCAL YEAR.

11 (2) IF THE STATE LOTTERY RECEIVES UNANTICIPATED REVENUES FOR  
12 A FISCAL YEAR, THE COMPTROLLER:

13 (I) MAY NOT DISTRIBUTE INTO THE GENERAL FUND ANY OF THE  
14 UNANTICIPATED REVENUES; AND

15 (II) SHALL DISTRIBUTE TO EACH COUNTY AND MUNICIPAL  
16 CORPORATION THE UNANTICIPATED REVENUES ON A PRO RATA BASIS ACCORDING  
17 TO THE TOTAL LOTTERY SALES MADE IN EACH OF THE POLITICAL SUBDIVISIONS.

18 (3) FOR THE PURPOSE OF THE PRO RATA DISTRIBUTION TO COUNTIES  
19 AND MUNICIPAL CORPORATIONS REQUIRED UNDER PARAGRAPH (2) OF THIS  
20 SUBSECTION, LOTTERY SALES MADE IN A MUNICIPAL CORPORATION MAY NOT BE  
21 INCLUDED IN THE CALCULATION OF LOTTERY SALES FOR THE COUNTY IN WHICH  
22 THE MUNICIPAL CORPORATION IS LOCATED.

23 (4) A COUNTY OR MUNICIPAL CORPORATION SHALL APPROPRIATE THE  
24 UNANTICIPATED REVENUES IT RECEIVES EQUALLY BETWEEN PUBLIC SCHOOL  
25 EXPENSES AND PUBLIC SAFETY EXPENSES.

26 [(c)] (D) The regulations of the Agency shall apportion the money in the State  
27 Lottery Fund.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
29 effect July 1, 2004.